

*(Laughter.)*

I think I can read, and one of the things this amendment would do is remove the restriction of the legislature to reduce the judicial budget. I believe I heard Chairman Sherbow this morning explain that there was no intent to remove this restriction, which has been in the Constitution for years and years, that the legislature could not reduce, but can only increase the judicial budget. I do not think this amendment has been thought out thoroughly and I am opposed to it.

THE CHAIRMAN: Delegate Beatrice Miller.

DELEGATE B. MILLER: Mr. Chairman, fellow delegates: We have heard several times here the charge that we are proposing a terrible thing, that we are proposing the destruction of the executive budget. I do not think we are proposing any such thing at all.

The model constitution of the National Municipal League also produced a budget article which allows the legislature to increase or decrease the budget. I would like to quote from their comment:

"No single act in the fiscal process is of greater importance than the preparation of the budget which enables the governor to develop a comprehensive fiscal program for each fiscal year. Recognizing this executive responsibility, the model requires that the chief executive develop not only proposals for an expenditure program, but also a plan for the raising of necessary revenues.

"With such requirements the legislature is in a position to evaluate the executive's comprehensive fiscal plan, to increase or decrease items, and to strike out or add items. These broad powers are balanced by the provision that the governor may veto in whole or in part items in the appropriations bills as passed by the legislature."

I agree with the model constitution. I cannot see why a legislature which would have the power to increase any appropriation would have any more ability to destroy an executive budget than a legislature which is empowered to decrease the budget.

If the people who argue for the sanctity of the executive budget beyond the realm of the legislature to act were to be wholly consistent, they would remove from the legislature the power to decrease that budget.

We are at the threshold of an age of tremendous programs in the State of Mary-

land which the General Assembly will need to be responsible for. It is up to them to indicate where these programs shall take place, and where the emphasis shall be put, and they can do this as elected representatives of the people, working with the governor within the balanced budget.

I see nothing dangerous in this proposal. I do think it is time we took a step forward from 1916. I am sure what we proposed then was revolutionary and different. This may be slightly different, but it is certainly not revolutionary when you consider the number of states in this nation of ours which now operate under similar propositions.

THE CHAIRMAN: Does any other delegate desire to speak in opposition?

Delegate Hardin Marion.

DELEGATE MARION: I rise to address a question to the Chairman of the Committee, if I might, because of the discussion raised about reducing the judicial budget.

THE CHAIRMAN: He does not have the floor now.

Does any other delegate desire to speak in opposition? If not, the Chair will give him the floor, if he will yield.

No others desire to speak in opposition, Delegate Sherbow. Do you want to have the floor?

DELEGATE SHERBOW: Yes.

THE CHAIRMAN: Do you yield to a question from Delegate Marion?

DELEGATE SHERBOW: Yes.

THE CHAIRMAN: Delegate Marion.

DELEGATE MARION: The language in 6.07 proposed on page 3 of Committee Recommendation SF-5 has the language in lines 11 and 12, and so on, "or by reducing or striking out any item." Then there are certain exceptions, none of which relate to the judicial budget.

Do I read that language correctly as meaning that the General Assembly does have the authority to reduce under section 6.07 any item in the judicial budget?

DELEGATE SHERBOW: Not if it is prescribed by law.

THE CHAIRMAN: Do you have a further question, Delegate Marion?

DELEGATE MARION: Yes.